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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
PATEL, CHIRAG R	
ART UNIT	**PAPER NUMBER**
2141	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/074,730	RAMIG, RANDAL J.	
	Examiner	Art Unit	
	Chirag R. Patel	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 January 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-33* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) *31* is/are allowed.

6)☒ Claim(s) *1-30 and 32-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Response to Arguments

Applicant's arguments filed January 25, 2007 have been fully considered but they are not persuasive. A discussion of the amended claim language is discussed below.

As per the 112 2nd paragraph discussion, listing the "requesting computer system" as the only name server.

DNS proxy, 260 is assigned to the clients 210,220,230 as part of the requesting computer system. The computer system, as defined per applicant's disclosure, per [0021], defines A computer system may include one or more computers coupled via a computer network. Examiner has taken a broad interpretation of computer system per [0021] of disclosure.

Examiner asserts that Strentzsch discloses that no single device, or DNS server stores all mappings and discloses it does send DNS requests to other DNS devices over a network and / or the internet. However, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., no single device can include all of the mapping information) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Assigning a requesting computer system as the only name server available for solving host name (see 112 2nd paragraph discussion), does not preclude it from forwarding the request to additional DNS servers to resolve host

names, and meets the claim limitations for "an act of sending the host name data from the replacement host name resolver in the requesting computer system using a second protocol to a module at the solving computer system for resolving the host name data, wherein the second protocol is compatible for resolving host name data over the communication link connecting the requesting computer system to the network"

As stated above, Strentzsch does disclose send DNS requests to other DNS devices over a network and / or the internet, and so does the portion of the claim language because resolving computer system is located over a communication link over the internet/and or network as cited in claim language.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 1, it is unclear to meaning of "listing the *requesting computer system* as the only name server available for resolving host names" and "*resolving computer system* for resolving the host name data"

There are two systems for resolving host name data, requesting and resolving computer system as stated in the claim language, therefore requesting computer system cannot be the only name server available for resolving host

names because 'resolving computer system', connected over the network, which is claimed, also resolves host names.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 6-11, 17-19, 24, 26-29, and 33 are rejected under 35 U.S.C. 102(e) as being anticipated by Strentzsch et al. – hereinafter Strentzsch (US 6,256,671).

As per claims 1, 24, 26, and 33, Strentzsch discloses in a requesting computer system that is network connectable to a network, the requesting computer system including a native host name resolver that is not capable of resolving a host name when the requesting computer system is connected to the network due to advances in or proprietary name resolution techniques, a method for resolving a host name using a replacement resolver so as to extend the functionality of the computer system, extending the useful life of the computer

system by allowing the computer system to be used on networks that it was not originally intended to be used with, the method comprising the following:

an act of assigning the requesting computer system as a name server for the requesting computer system, wherein the requesting computer system is a single physical device docked to a resolving computer system, and wherein the act of the requesting computer system assigning as the name server for the requesting computer system comprises a native host name resolver of the requesting computer system listing the requesting computer system as the only name server available for resolving host names; (Col 5 line 54 – Col 6 line 10, Col 6 line 38-57;The gateway 250 may also include a DNS proxy 260; DNS proxy acts a "resolver" for DNS queries, Col 12 lines 38-42, per applicant definition of "computer system" per [0025] of spec "A computer system may include one or more computers coupled via a computer network., DNS proxy is the only one listed for clients 210,220, and 230 in the computer system")

an act of at a native host name resolver of the requesting computer system requesting resolution of a host name by sending host name data in a first protocol to the requesting computer system by sending the host name data to the name server assigned for the requesting computer system, the host name data being compatible for resolution of the host name by a DNS server, the first protocol being a native protocol of the requesting computer system that is incompatible for resolving host name data over a communication link connecting the requesting computer system to the network; (Col 5 lines 38-53; The gateway 250 then forwards the requests to the Internet, either directly or via an ISP,

making any necessary conversions so that the requests conform to the proper protocol)

an act of monitoring a name resolution port of the requesting computer system for receiving the host name data in the first protocol from the requesting computer system; (Col 5 lines 38-53)

an act of rerouting the host name data in the first protocol to a replacement host name resolver in the requesting computer system; and (Col 6 lines 38-57)

an act of sending the host name data from the replacement host name resolver in the requesting computer system using a second protocol to a module at the resolving computer system for resolving the host name data, wherein the second protocol is compatible for resolving host name data over the communication link connecting the requesting computer system to the network and (Col 5 lines 38 – 53, Col 6 lines 38-57, Col 12 lines 38-42)

an act of receiving a resolved address at the native host name resolver of the requesting computer system corresponding to the host name data. (Col 6 lines 38-57; This referral process continues until either an IP address is received)

As per claim 6, Strentzsch discloses the method as recited in claim 1, wherein the act of monitoring a name resolution port of the requesting computer system for receiving the host name data in the first protocol comprises the following: an act of monitoring a name resolution port of the requesting computer

system that is associated with an IP network. (Col 5 lines 38-53, Col 4 lines 28-35)

As per claim 7, Strentzsch discloses the method as recited in claim 6, wherein the act of monitoring a name resolution port of the requesting computer system that is associated with an IP network comprises the following: an act of monitoring port 53 of the requesting computer system. (Col 5 lines 38-53, Col 4 lines 28-35; Port 53 is inherent to the DNS system because it is the default DNS port.)

As per claim 8, Strentzsch discloses wherein the act of monitoring a name resolution port of the requesting computer system for receiving the host name data in a host name resolution protocol comprises the following: an act of monitoring a name resolution port for receiving host name data in a host name resolution protocol that is compatible with an IP network. (Col 5 lines 38-53, Col 4 lines 28-35)

As per claim 9, Strentzsch discloses wherein the act of monitoring a name resolution port for receiving the host name data in a host name resolution protocol that is compatible with an IP network comprises the following: act of monitoring a name resolution port for host name data contained in one or more UDP packets. (Col 4 lines 9-26; UDP is inherent to the TCP/IP protocol stack)

As per claim 10, Strentzsch discloses wherein the act of monitoring a name resolution port of the requesting computer system for receiving the host name data in the first protocol comprises the following: an act of a replacement host name resolver monitoring a name resolution port for receiving host name data sent from a native host name resolver. (Col 5 lines 38 – 53, Col 6 lines 38-57)

As per claim 11, Strentzsch discloses the method as recited in claim 1, wherein the act of monitoring a name resolution port of the requesting computer system for receiving the name data in the first protocol comprises the following: an act of a resolving computer system monitoring a name resolution port for receiving host name data sent from a native host name resolver. (Col 5 lines 38 – 53, Col 6 lines 38-57)

As per claim 17, Strentzsch discloses wherein the act of sending the host name data from the replacement host name resolver in the requesting computer system using a second protocol to a module for resolving the host name data comprises the following:

an act of the of a replacement host name resolver rerouting the host name data to a module that was identified by entering one or more parameters in a user interface; (Col 5 lines 38 – 53, Col 6 lines 38-57)

As per claim 18, Strentzsch discloses the method as recited in claim 1, further comprising: an act of providing the requesting computer system with a network address by resolving the host name data that was sent to the module. (Col 6 lines 38-57)

As per claim 19, Strentzsch discloses the method as recited in claim 18, wherein the act of providing the requesting computer system with a network address by resolving the host name data that was sent to the module comprises the following:

providing the requesting computer system with a numerical IP address by resolving a domain name that was sent to the module. (Col 4 lines 27-35)

As per claim 27, Strentzsch discloses the method as recited claim 26, wherein the one or more computer-readable media include physical storage media. (Col 11 lines 38-59)

As per claim 28, Strentzsch disclose the method as recited claim 26, wherein the one or more computer-readable media include system memory. (Col 11 lines 38-59)

As per claim 29, Strentzsch disclose the method as recited in claim 1, wherein the requesting computer system is a physical device. (Col 5 line 54 – Col 6 line 10, Col 6 line 38-57;The gateway 250 may also include a DNS proxy 260)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2-5 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strentzsch (US 6,256,671) in view of Aziz et al. – hereinafter Aziz (US 6,119,234).

As per claim 2, Strentzsch discloses the method as recited in claim 1. Strentzsch fails to disclose loopback address. Aziz discloses wherein the act of assigning the requesting computer system as a name server for the requesting computer system comprises the following: an act of utilizing a loop-back address to assign the requesting computer system as a name server for the requesting computer system. (Col 8 lines 26-42) At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to disclose a loopback address in the disclosure of Strentzsch. The motivation for doing do would have been to allow a configuration when it is not desirable or possible to modify a client's resolver. (Col 8 lines 26-42)

As per claim 3, Strentzsch / Aziz disclose the method as recited in claim 2. Strentzsch fails to disclose the act of utilizing a defined IP loop-back address. Aziz discloses wherein the act of utilizing a loop-back address to assign the requesting computer system as a name server for the requesting computer system comprises the following: an act of utilizing a defined IP loop-back address to assign the requesting computer system as a name server for the requesting computer system. (Col 8 lines 6-18) At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize a defined IP loop-back address in the disclosure of Strentzsch. The motivation for doing do would have been to allow the full resolver functionality to be implemented in one component. (Col 8 lines 19-25)

As per claim 4, Strentzsch / Aziz disclose the method as recited in claim 1. Strentzsch fails to disclose the act of assigning the requesting computer system as the primary name server. Aziz discloses wherein the act of assigning the requesting computer system as a name server for the requesting computer system comprises the following: an act of assigning the requesting computer system as the primary name server for the requesting computer system. (Col 8 lines 26-42) At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to assign the requesting computer system as a primary name server. in the disclosure of Strentzsch. The motivation for doing do would have been to to allow the full resolver functionality to be implemented in one component. (Col 8 lines 19-25)

As per claim 5, Strentzsch / Aziz disclose the method as recited in claim 1. Strentzsch fails to disclose the act of assigning the requesting computer system as a DNS server. Aziz discloses wherein the act of assigning the requesting computer system as a name server for the requesting computer system comprises the following: an act of assigning the requesting computer system as a DNS server for the requesting computer system. (Col 8 lines 26-42) At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to assign the requesting computer system as a DNS server in the disclosure of Strentzsch. The motivation for doing do would have been to to allow the full resolver functionality to be implemented in one component. (Col 8 lines 19-25)

As per claim 16, Strentzsch disclose the method as recited in claim 1. Strentzsch fails to disclose secure DNS. Aziz discloses wherein the first protocol is DNS and the second protocol is secure DNS. (Col 5 line 61 – Col 6 line 10) At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to disclose secure DNS in the disclosure of Strentzsch. The motivation for doing do would have been to authenticate the data in other resource records. (Col 5 line 61 – Col 6 line 10)

As per claim 30, Strentzsch disclose the method as recited in claim 1, wherein the requesting computer system is docked to the resolving computer

system through a serial connection, wherein the resolving computer system ignores UDP, but does support TCP/IP. (Col 4 lines 9-26, Col 10 line 65 – Col 7 line 22; 110 ports 626 are one or more serial and/or parallel communication ports used to provide communication between additional peripheral devices which may be coupled to hardware system 600. Collectively, these elements are intended to represent a broad category of hardware systems, including but not limited to the Instant Internet.TM. device available from Bay Networks of Santa Clara, Calif.)

As per claim 32, Strentzsch discloses a method as recited in claim 1, wherein the requesting system is a mobile device removably docked the resolving computer system. (Col 3 lines 47-65)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Strentzsch (US 6,256,671) in view of Onweller (5,799,016).

As per claim 15, Strentzsch discloses the method as recited in claim 1. Strentzsch fails to disclose the first protocol is UDP and the second protocol is

TCP. Onweller discloses wherein the first protocol is UDP and the second protocol is TCP. (Col 9 lines 39-62) At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to disclose the first protocol is UDP and the second protocol is TCP in the disclosure of Strentzsch. The motivation for doing do would have been to support communication with standard that use different standards. (Col 9 lines 39-62; capable of translating between the tcp/ip, udp/ip)

Allowable Subject Matter

Claim 31 is allowed. The following is a statement of reasons for the indication of allowable subject matter: As per claim 31, the prior art fails to disclose "wherein the resolving computer system forwards the host name data from the replacement host name resolver in the requesting computer system to a name server, and wherein receiving a resolved address at the native host name resolver of the requesting computer system corresponding to the host name data comprises receiving the resolved address directly from the name server bypassing the resolving computer system." Receiving the resolved address directly from the name server bypassing the resolving computer system implies that the requesting computing system includes all of the mapping information as stated by applicants.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chirag R. Patel whose telephone number is (571)272-7966. The examiner can normally be reached on Monday to Friday from 7:30AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia, can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public

PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pairdirect.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER